

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Yessenia Yazmin Tanguma

YOB:

PRINCIPAL

1999

United States

United States District Court  
Southern District of Texas  
FILED

DEC 26 2018

## CRIMINAL COMPLAINT

Case Number:

M-18-2649 -M

Clark of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 24, 2018 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Matias Lopez-Marin and Ernesto Garcia-Raymundo, nationals of Mexico, for a total of two (2) undocumented aliens, who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said alien in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 24, 2018, a Border Patrol Agent observed three subjects walking north on a street near Roma, Texas. This street is commonly used by smugglers due to the short distance from the Rio Grande River.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ NoApproved LAURA GARCIA  
J. Jr

Signature of Complainant

Gerardo Montalvo Senior Patrol Agent  
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

December 26, 2018

Date

at McAllen, Texas  
City and StateJ Scott Hacker, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

M-18-2649 -M

**RE: Yessenia Yazmin Tanguma**

**CONTINUATION:**

The Agent observed two of the subjects with muddy clothes which heightened his suspicion of them just crossing the river due to the area having no rain in the past several days. The Agent approached the subjects and questioned the subjects as to their citizenship. Two male subjects freely admitted to be citizens of Mexico, illegally present in the United States. The third subject was identified as Yessenia Yazmin Tanguma, a United States Citizen. Tanguma appeared to be extremely nervous and lied to the Agent multiple times, contradicting her story. After gathering all of the facts, the Agent believed Tanguma was attempting to smuggle the undocumented aliens into the United States.

All subjects were placed under arrest and transported to the Border Patrol Station for processing.

**PRINCIPAL STATEMENT:**

Yessenia Yazmin Tanguma was advised of her Miranda Rights and agreed to provide a sworn statement without an attorney present.

In the field, Tanguma first told Agents that Matias, one of the material witnesses, was her boyfriend of five years and claimed that she was pregnant. Tanguma then claimed that Matias was her friend from social media.

Tanguma stated she received a phone call from Matias and requested for her to pick him up at a park. Tanguma stated she left another friend's party and walked over to the park to pick him up. Tanguma stated that Matias was with another male subject, whom she didn't know, and decided to walk them back to her house to watch movies.

**MATERIAL WITNESS STATEMENTS:**

Matias Lopez-Marin and Ernesto Garcia-Raymundo were read their Miranda Rights and agreed to provide a sworn statement.

Matias, a citizen of Mexico, stated his friend paid \$1,500 USD for his smuggling arrangements and he was supposed to pay an additional \$6,000 USD at his final destination. Matias and Ernesto crossed the river on a raft by foot-guides. The foot-guides instructed them to walk straight north and that an overweight woman was going to be waiting for them. Matias stated that as they were walking north, a woman told them she was there to pick them up and instructed them to follow her. Matias heard the woman telling someone over the phone that she had already picked them up. Matias stated that he heard the woman tell Agents that he was her boyfriend to which he admitted to be a false statement. Matias further added he had never met the woman before and that he is in a common-law marriage in his hometown.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

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M-18 *2649* -M

**RE: Yessenia Yazmin Tanguma**

**CONTINUATION:**

Matias identified Yessenia Yazmin Tanguma, through an official CBP photo lineup, as the woman who gave them instructions.

Ernesto, a citizen of Mexico, paid \$1,500 USD for his smuggling arrangements. Ernesto stated two foot-guides took him and another subject across the river on a raft. Once they reached the United States riverbank, Ernesto heard the guides talking on the phone with a woman, arranging a location on where to pick them up. The guides then instructed them to walk north until they met with a woman who would further guide them into the United States. After walking a short distance from the river, a woman approached them and told them she was there to pick them up.

Ernesto identified Yessenia Yazmin Tanguma, through an official CBP photo lineup, as the woman who was supposed to help them.